



PROBATION AND PAROLE BUREAU STANDARD OPERATING PROCEDURES

Procedure No.: 140-3	Subject: SANCTION PROGRAMS (ISP, START, PRC, CCP, MASC, ESP, MCDC, Passages ADT, Passages ASC Elkhorn, Nexus, TSCTC AND DAY REPORTING)
Chapter 140: STATE (ADMINISTRATIVE) HEARINGS AND SANCTIONS	Page 1 of 15
Signature: /s/ Ron Alsbury	Revision Date: 02/15/06; 06/12/06; 10/27/06; 02/02/07; 8/20/07; 4/22/08
	Effective Date: 03/01/05

I. BUREAU DIRECTIVE: Probation & Parole Bureau employees will follow established procedures for all Sanction Programs if an offender is not complying with probation, parole, or conditional release conditions and develop a strategy for achieving compliance.

II. AUTHORITY:

46-23-1002, M.C.A.	<i>Powers of the department</i>
46-23-1004, M.C.A.	<i>Duties of department</i>
46-23-1011, M.C.A.	<i>Supervision on Probation</i>
46-23-1012, M.C.A.	<i>Arrest when violation of probation-probation compliance plan-probation violator intervention</i>
46-23-1015, M.C.A.	<i>Informal Probation Violation Intervention Hearing</i>
46-23-1021, M.C.A.	<i>Supervision on Parole</i>
46-23-1023, M.C.A.	<i>Arrest of alleged parole violator</i>
53-1-203, M.C.A.	<i>Powers and Duties of the Department of Corrections</i>

III. DEFINITIONS:

Alternative Sanctions means a range of offender penalties that can be utilized by a P&P Officer when an offender has violated the terms of their supervision. The penalties are less severe than imprisonment.

Day Reporting means service that is provided by the Department or a contractor to provide enhanced supervision that may include daily contact with assigned staff, BA/UA testing, and/or employment and counseling services.

Disciplinary Hearing means a hearing conducted by a Regional Administrator or POII that provides applicable due process requirements on conditional release and DOC offenders to confront violations of department and conditional release rules. Sanctions can result in placement into a higher level of care up to and including prison.

Enhanced Supervision Program (ESP) is a program that is developed by the Department and provided by private contractors to provide enhanced supervision and services for offenders within the P&P Bureau.

Hearings Officer means Regional Administrator or PO II employed by Department of Corrections.

Intensive Supervision Program (ISP) is the community-based program provided to high-risk and high-need offenders who would ordinarily be incarcerated.

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Intermediate Sanction means a consequence for violation of probation, parole or conditional release, not including return to court or prison.

Intervention Hearing means an informal administrative hearing performed by the Regional Administrator or POII at the request of a Probation & Parole Officer for violations of an offender's supervision.

Preliminary "On-site" Hearing means a preliminary administrative hearing conducted by the Department of Corrections on a parolee at the site of the alleged parole violation or arrest.

Sanction means any formal or informal consequence or combination of consequences listed for violations of supervision.

IV. PROCEDURES:

When an offender violates the conditions of their supervision, P&P Officers will staff the offender's case with a POII or RA to determine appropriate sanctions and alternatives to imprisonment.

A. **ISP SANCTION PROGRAM**

1. **Eligible Offenders:** All offenders under the supervision of the P&P Bureau
The ISP Sanction Program provides the non-compliant traditional offender a period of sobriety by using increased supervision, random urine testing, and mandatory attendance in a treatment component, in order to prepare the offender to return to a traditional caseload.
2. **Total Available Beds:** 5-15 slots available depending on ISP caseload in your area
3. **Length of Program:** Up to 180 days
4. **Placement Process:** Intervention, On-Site, or Disciplinary Hearing
ISP Teams must accept all offenders referred to the program, if space is available, and referrals will not be screened.

At the conclusion of the hearing, the offender, the referring P&P Officer, and the Hearings Officer will sign *P&P 140-5 (B) Intervention Hearing Agreement* (if an intervention hearing was conducted) that will sanction and refer the offender to the ISP Sanction Program. If a disciplinary or on-site hearing is held, the hearings officer will enter this disposition in the hearings summary.

ISP Sanction Program referrals will review *P&P 140-3 (A) Sanction Program Contract* that outlines the conditions of the ISP Sanction Program. The offender will initial each condition and the offender and the ISP Officer will sign the contract.

5. **Supervision:**

Offenders on the ISP Sanction Program will be supervised by an ISP Officer with electronic monitoring an optional condition.

- a. Offenders will file a weekly 24-hour schedule with an ISP officer, and submit written monthly reports on *P&P 60-2 (B) Offender Monthly Report*. Travel outside the area of jurisdiction will be at the discretion of the ISP Officer.
- b. All offenders must maintain a substance (alcohol & drug) free lifestyle. This will be measured via
 - i. Urinalysis

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- ii. Breath analyzer
- iii. Random vehicle/residence/personal searches

Testing may be done on a regular and/or random basis at the discretion of the ISP Officer. Any positive test results will require immediate action that may require sanctions beyond the ISP Sanction Program. Refer to P&P 160-1 Standardized Offender Urinalysis Testing. Officers will complete the admission form for any positive tests.

Any attempt to alter a urine sample will result in immediate arrest and disciplinary action.

- c. ISP Sanction Program offenders will be required to:
 - i. Meet face-to-face with an ISP Officer weekly at the ISP office, the offender's home or at the offender's workplace. In addition, the ISP Officer will conduct a weekly random scheduled check with the offender by phone or in person.
 - ii. The ISP Officer will make a minimum of two (2) collateral contacts monthly (examples of collateral contacts are employers, counselors, family members, and community service employers). Collateral contacts may be in person or by telephone, and random, at the discretion of the ISP Officer and noted in the chronological notes. In some cases, offenders may have limited collateral contacts available. Officers may then obtain an exception from their supervisor to set aside this requirement. Exceptions will be noted in the chronological notes and signed by the supervisor.
- d. ISP Sanction Program offenders will be required to maintain specific scheduled hours. The hours will be monitored via:
 - i. Electronic surveillance equipment, if required.
 - ii. Home visits by ISP Officer or designee.
 - iii. Phone contacts by Department of Corrections personnel.
 - iv. Local law enforcement officers.
- e. ISP Sanction Program offenders are required to secure and maintain full-time employment or an educational program. The Sanction Program offender must be capable of verifying full-time employment, education or other approved program. Waivers may be approved for disability or medical reasons, with appropriate documentation and/or supervisor approval in the chronological notes. If unemployed, offenders must abide by conditions in the ISP handbook for "Unemployed Offenders".
- f. ISP Sanction Program offenders will attend the mandatory treatment component as determined in each Region and must comply with all treatment program requirements. The ISP Officer will verify attendance.
- g. ISP Sanction Program offenders must comply with all conditions stipulated by the Court (probationer), Board of Pardons & Parole (parolee), the Department of Corrections (conditional release), and/or the Hearings Officer.
- h. ISP Sanction Program offenders will be granted three (3) hours of *errand* time per week. Pass time should only be considered for the offender if it involves family/significant other related activities that support the habilitation process. Officers must use discretion when considering the use of pass time and offenders should be in compliance with all treatment related activities prior to approving any use of pass time.

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6. Violations/Failure to Complete:

Violations while on the ISP Sanction Program will be addressed by an Intervention Hearing or if warranted, by formal violation. Writing of formal violations in a *Report of Violation* for the Court, the BOPP or writing of *P&P 140-1 (C) Statement of Charges/Notice of Disciplinary Hearing* for Conditional Release or DOC offenders will be staffed with the ISP Officer's immediate supervisor. In the event that a *Report of Violation* is filed, the ISP Officer will be responsible for writing the report and will maintain the case on an inactive status for as long as the offender remains in custody. If the offender is released by the judge pending disposition, the case will be returned to the prior traditional Officer.

In lieu of a *Report of Violation* or *Statement of Charges/Notice of Disciplinary Hearing*, intermediate, sanctions may include electronic monitoring, extended length of stay on the ISP Sanction Program, community service, up to thirty (30) days house arrest, jail incarceration, or any other reasonable sanctions imposed by the Hearings Officer

7. Completion: Returned to traditional caseload and previous supervising Officer

B. START PROGRAM - (SANCTION TREATMENT ASSESSMENT REVOCATION AND TRANSITION PROGRAM)

1. Eligible Offenders:

Sanction Component - All male offenders under the supervision of the P&P Bureau
Assessment/placement – All male parolees, conditional release offenders, and offenders in community placements

2. Total Available Beds: 88

3. Length of Program: 10-120 days

Any male offenders can be sanctioned for up to 30 days, or longer for parolees or conditional release offenders if approved by the CCD Administrator. Any male parolee, conditional release, or DOC offender that is determined as inappropriate for continuing community placement can be placed at START for 10-120 days.

4. Placement Process: Intervention, On-Site, or Disciplinary Hearing

If a jail sanction is ordered, the hearings paperwork must reflect a start and end dates for the sanction and the Hearings Officer must forward a copy of the paperwork to the START IPPO. Refer to *P&P 140-1 Adult Offender Discipline and Disciplinary Hearing*, *P&P 140-2 Preliminary (On-Site) Hearing*, and *P&P 140-5 Intervention Hearing*. The supervising officer will retain the field file on all jail sanction offenders.

If it is determined during an on-site or disciplinary hearing that the offender needs to be returned to a secure setting and that they are not appropriate for community corrections placement, female offenders will be returned to MWP and male offenders will be placed at the START program for evaluation. If the offender is facing new felony charges or if BOPP indicates that the parole offender needs to be returned to MSP/MWP in the staffing with the P&P Officer and/or Hearings officer, no over-ride from the CCD Administrator is required. In cases where special circumstances may warrant direct placement at MSP (behavior, medical, etc.) the Hearings Officer will request an override via an email to the CCD Administrator. Refer to *P&P 140-1 Adult Offender Discipline and Disciplinary Hearing* and *P&P 140-2 Preliminary (On-Site) Hearing*. For parole offenders that are placed at START, the field file will be forwarded to the Board of Pardons and Parole. For conditional release offenders that are

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placed at START, the field file will be forwarded to the MSP IPPO. If the offender will be placed at CCP or Prerelease from a sanction or placement bed, the field file will remain at the referring P&P office.

C. MASC - (MISSOULA ASSESSMENT AND SANCTIONING CENTER)

1. Eligible Offenders:

Sanction Component - All male offenders under the supervision of Region I and V or if START is full

Assessment/placement – All male offenders with a new felony conviction

2. Total Available Beds: 144

3. Length of Program:

Any male offenders can be sanctioned for up to 30 days, or longer for parolees or conditional release offenders if approved by the CCD Administrator. Any male parolee or conditional release offender that is determined at a hearing to be inappropriate for continuing community placement can be placed at MASC for 10-120 days.

4. Placement Process: Intervention, On-Site, or Disciplinary Hearing

Offenders that have previously been placed at MASC will be allowed to enter the program as a sanction but will not be allowed to return on the same commit to be assessed and screened for community placement. They may return to the MASC program for screening and assessment if they have a new DOC Commit.

If a jail sanction is ordered, the Hearings Officer needs to make sure that the hearings paperwork reflects start and end dates for the sanction. The Hearings Officer will need to forward a copy of the hearings paperwork to the MASC Program. Refer to *P&P 140-1 Adult Offender Discipline and Disciplinary Hearing*, *P&P 140-2 Preliminary (On-Site) Hearing*, and *P&P 140-5 Intervention Hearing*.

If the Hearings Officer orders an offender to be placed in a community corrections program and the offender has been approved at a program (PRC, CCP, etc.) and is awaiting a bed date, the male offender can be placed at MASC pending space availability, even if he has previously been at the MASC program. The MASC Administrator should be contacted prior to movement of the offender to MASC.

D. PASSAGES ASC – (PASSAGES ASSESSMENT & SANCTION CENTER)

1. Eligible Offenders:

Sanction Component - All female offenders under the supervision of the P&P Bureau

Assessment/placement – All female parolee and conditional release offenders

2. Total Available Beds: 30 assessment beds and 20 sanction beds

3. Length of Program: 10-120 days

Any female offender can be sanctioned for up to 30 days, or longer for parolees or conditional release offenders if approved by the CCD Administrator. Any female parolee or conditional release offender that is determined at a hearing to be inappropriate for continuing community placement can be placed at Passages for 10-120 days.

4. Placement Process: Intervention, On-Site, or Disciplinary Hearing

Offenders that have previously been placed at Passages ASC will be allowed to enter the

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program as a sanction but will not be allowed to return on the same commit to be assessed and screened for community placement. They may return to the Passages ASC program for screening and assessment if they have a new DOC Commit. If the Hearings Officer orders an offender to be placed in a community corrections program and the offender has been approved at a program (PRC, Passages ADT, ICP, etc.) and is awaiting a bed date, the female offender can be placed at Passages ASC pending space availability, even if she has previously been at the Passages ASC program. The Passages ASC Administrator should be contacted prior to movement of the offender to Passages ASC.

If a jail sanction is ordered, the Hearings Officer needs to make sure that the hearings paperwork reflects start and end dates for the sanction. The Hearings Officer will need to forward a copy of the hearings paperwork to the Passages ASC Program. Refer to *P&P 140-1 Adult Offender Discipline and Disciplinary Hearing*, *P&P 140-2 Preliminary (On-Site) Hearing*, and *P&P 140-5 Intervention Hearing*. The officer will retain the field file on all jail sanction offenders.

If it is determined during an on-site or disciplinary hearing that the offender needs to be returned to a secure setting and that they are not appropriate for community corrections placement, female offenders will be returned to MWP. If the offender is facing new felony charges or if BOPP indicates that the parole offender needs to be returned to MWP in the staffing with the P&P Officer and/or Hearings officer, no over-ride from the CCD Administrator is required. In cases where special circumstances may warrant direct placement at MWP (behavior, medical, etc.) the Hearings Officer will request an override via an email to the CCD Administrator. Refer to *P&P 140-1 Adult Offender Discipline and Disciplinary Hearing* and *P&P 140-2 Preliminary (On-Site) Hearing*. For parole offenders that are placed at Passages ASC, the field file will be forwarded to the Board of Pardons and Parole. For conditional release offenders that are placed at Passages ASC, the field file will be forwarded to the MWP IPPO.

However, if the offender will be placed at CCP or Prerelease from a sanction or placement bed, the field file will be forwarded to the MSP IPPO for Connections Corrections placed offenders and the respective Prerelease Liaison for the offenders that will be placed at Prerelease.

E. PRERELEASE SANCTION BEDS

- 1. Eligible Offenders:** All offenders under the supervision of the P&P Bureau
- 2. Total Available Beds:** 4 beds at each prerelease center
- 3. Length of Program:** 10-30 days
- 4. Placement Process:** Intervention, On-Site, or Disciplinary Hearing

If the hearings officer orders a prerelease sanction bed, offenders can be placed in jail pending space availability in a prerelease. The Hearings Officer needs to make sure that the hearings paperwork reflects start and end dates for the sanction. The Hearings Officer will need to forward a copy of the hearings paperwork to the Prerelease relative to the sanction. Refer to *P&P 140-1 Adult Offender Discipline and Disciplinary Hearing*, *P&P 140-2 Preliminary (On-Site) Hearing*, and *P&P 140-5 Intervention Hearing*.

- 5. Supervision:**

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Offenders will be in lock-down status, not allowed to leave the facility during the placement period, and separated from the facility general population. Access to television, radio, video, and audio players will be limited. BA and UA testing will occur on a random basis during the placement period.

F. CONNECTIONS CORRECTIONS (CCP) SANCTION BEDS – Warm Springs

- 1. Eligible Offenders:** All male parolees, conditional release, and prerelease offenders
- 2. Total Available Beds:** 10
- 3. Length of Program:** 60 days
- 4. Placement Process:** Intervention, On-Site, or Disciplinary Hearing

Prior to a hearing, P&P Officers should informally have the offender screened and inform the Hearings Officer of the outcome of the informal screening at the time of the hearing. The Hearings Officer will need to check on space availability in this program prior to ordering this as a sanction. If the offender is referred to a CCP Sanction bed, the P&P Officer will then have the offender screened formally. The Hearings Officer will need to forward a copy of the hearings paperwork to the Connections Corrections program and MSP IPPO relative to the sanction. Refer to *P&P 140-1 Adult Offender Discipline and Disciplinary Hearing*, *P&P 140-2 Preliminary (On-Site) Hearing*, and *P&P 140-5 Intervention Hearing*.

P&P Officers that refer parolees to a CCP Sanction bed through an Intervention Hearing do not have to receive endorsement from the Board of Pardons and Parole prior to a referral. The parole will not need to be revoked to utilize this sanction. However, if P&P Officers refer parolees to a CCP Sanction bed through an On-site Hearing, the officer must receive endorsement from the Board of Pardons and Parole prior to a referral and placement.

P&P Officers must consider the offender's ability to return to his community, residence, and employment prior to a referral and determine whether or not the offender has the appropriate means to return to supervision after CCP.

Offenders may be continued on supervision or placed in jail on a sanction pending CCP Sanction bed availability.

G. PASSAGES ADT (PASSAGES ALCOHOL & DRUG TREATMENT)

- 1. Eligible Offenders:** All female parolee, conditional release, and prerelease offenders
- 2. Total Available Beds:** 36 treatment, 4 sanction
- 3. Length of Program:** 60 days
- 4. Placement Process:** Intervention, On-Site, or Disciplinary Hearing

Prior to a hearing, P&P Officers should informally have the offender screened and inform the Hearings Officer of the outcome of the informal screening at the time of the hearing. The Hearings Officer will need to check on space availability in this program prior to ordering this as a sanction. If the offender is referred to a Passages ADT Sanction bed, the P&P Officer will then have the offender screened formally. The Hearings Officer needs to make sure that the hearings paperwork reflects start and end dates for the sanction. The Hearings Officer will need to forward a copy of the hearings paperwork to the Passages ADT program and MWP IPPO relative to the sanction. Refer to *P&P 140-1 Adult Offender Discipline and Disciplinary*

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Hearing, P&P 140-2 Preliminary (On-Site) Hearing, and P&P 140-5 Intervention Hearing.

P&P Officers that refer parolees to a Passages ADT Sanction bed through an Intervention Hearing do not have to receive endorsement from the Board of Pardons and Parole prior to a referral. The parole will not need to be revoked to utilize this sanction. However, if P&P Officers refer parolees to a Passages ADT Sanction bed through an On-site Hearing, the officer must receive endorsement from the Board of Pardons and Parole prior to a referral and placement.

P&P Officers must consider the female offender's ability to return to the community, residence, and employment prior to a referral and determine whether or not the offender has the appropriate means to return to supervision after Passages ADT.

Offenders may be continued on supervision or placed in jail on a sanction pending Passages ADT Sanction bed availability.

H. ENHANCED SUPERVISION PROGRAM (ESP)

1. Eligible Offenders: All offenders under the supervision of the P&P Bureau

2. Total Available Beds: 12 at each prerelease center

3. Length of Program: 60 or 90 days

4. Placement Process: Intervention, On-Site, or Disciplinary Hearing

Refer to *P&P 140-1 Adult Offender Discipline and Disciplinary Hearing*, *P&P 140-2 Preliminary (On-Site) Hearing*, and *P&P 140-5 Intervention Hearing*. The Hearings Officer and the P&P Officer will complete *P&P 140-3(C) ESP Referral Form* to identify what ESP services the offender will be required to complete and will forward the completed form to the prerelease center.

Offenders may be continued on supervision or placed in jail on a sanction pending ESP space availability.

If an offender is being released from a secure facility or community corrections program (WATCH, CCP, Prerelease, etc.) to probation or conditional release, the IPPO or liaison, in conjunction with the assigned supervising P&P Officer, may make a referral to the program. If a parolee is being released from a secure facility or community corrections program, the BOPP may make a recommendation for ESP and an IPPO will make the referral

5. Supervision:

Mandatory conditions of ESP include:

1. 1 one-on-one meeting with PRC Case Manager per week
2. Daily breathalyzer
3. 1 urinalysis test per week after 5:00 p.m. and on weekends

In addition, the referring P&P Officer may chose 2 of the following options in available areas:

1. Weekly itinerary
2. Additional UA testing
3. CP&R
4. Chemical dependency referral
5. Job development

In lieu of the above mandatory and additional options in the Enhanced Supervision Program,

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P&P Officers also have the SCRAM Program (24-hour alcohol monitoring) at the Billings Prerelease Center.

The Prerelease will complete *P&P 140-3 (D) ESP Offender Contract* with the offender upon placement in the ESP Program. The Prerelease will also complete *P&P 140-3 (E) ESP Notification of Completion/Failure* form and distribute as indicated on the form.

If the P&P Officer supervising the offender on ESP believes the offender should spend more time on the program than originally ordered, the P&P Officers will staff the case with the POII/RA and submit *P&P 140-3 (F) ESP Length of Stay Extension*. The extension will include number of days requested, the reasons for the extension, and the POII/RA's signature. Extensions will be faxed to the Prerelease Program Manager or designee for approval at (406) 444-7909. Extensions submitted after the sanctioned time period has expired, will not be paid by the Department.

I. DAY REPORTING

1. **Eligible Offenders:** All offenders under the supervision of the P&P Bureau, available in Kalispell and Glendive
2. **Total Available Slots:** 25
3. **Length of Program:** Varies
4. **Placement Process:** Intervention, On-Site, or Disciplinary Hearing
Refer to *P&P 140-1 Adult Offender Discipline and Disciplinary Hearing*, *P&P 140-2 Preliminary (On-Site) Hearing*, and *P&P 140-5 Intervention Hearing*.

Offenders may be continued on supervision or placed in jail on a sanction pending Day Reporting space availability.

5. **Supervision:**
Day reporting is available in a limited number of areas and may include daily contact with assigned staff, BA/UA testing, and/or employment and counseling services.

MCDC (MONTANA CHEMICAL DEPENDENCY CENTER) PROBATION

J. INTERVENTION PROJECT

1. **Eligible Offenders:** All probation offenders under the supervision of the P&P Bureau and meets ASAM (American Society of Addiction Medicine) Level of Care for Level III.5 or Level III.7 as determined by the Chemical Dependency Provider
2. **Total Available Beds:** 8
3. **Length of Program:** average of 45 days
4. **Placement Process:** Intervention hearing
The Hearings Officer may request that a referral be made prior to the hearing to see if the offender is eligible and accepted for placement into the program, if the program is a viable option for the chemically dependent individual and to see if there is a sanction beds available and if so when placement could be initiated.

If the hearings officer orders the MCDC sanction, the P&P Officer will complete *P&P 140-3 (G) MCDC Probation Intervention Project Referral Form* and provide it to the Chemical Dependency provider. The CD Provider must be a Montana Licensed Addictions Counselor

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(LAC). The Probation Officer will work with the local LAC Counselor to submit the appropriate application materials to MCDC. The submission should be faxed to the MCDC Admissions Coordinator @ (406) 496-5437. Items that should be included in this admissions packet in addition to the standard information that the LAC provides to the program is as follows:

- a. *P&P 140-3 (G) MCDC Probation Intervention Project Referral Form* must be part of this packet.
- b. A *Release of Information* signed by the offender permitting contact between MCDC, the Department of Corrections staff, the LAC Counselor and/or other parties needing to communicate relative to the offender. This release should also request any pertinent documentation relative to treatment (i.e. discharge summary, etc.).
- c. Individuals who have a history of sexual or violent offenses will be considered on a case by case basis. If the person is accepted with this history, the probation officer is responsible for any registration requirements while the person is at MCDC. The criminal record of these individuals must accompany the referral packet with any required releases of information included. If the offender is accepted for placement in the MCDC Probation Intervention Project and has already registered as a SVOR in the community than the Probation Officer will complete a *SVOR Change of Address Form* and submit it to Department of Justice and will provide a copy to the MCDC program to validate that this obligation has been fulfilled. If the offender has not registered in the local community the offender will be required to report to local law enforcement in Butte and complete the registration. This will be coordinated through the MCDC program. Upon the offenders return to the community, the P&P Officer will once again submit a *SVOR Change of Address Form* to the Department of Justice to update the SVOR database. Copy of this *Change of Address Forms* in both cases needs to be placed in the offenders file.
- d. Referrals will be subject to the MCDC pre-admission utilization review process. The utilization review committee will evaluate admission packets with particular attention to medical, detoxification, and mental health and addictions symptoms consistent with the Level of Care criteria. Admission packets that fail to meet Level of Care Criteria will result in a recommendation for an alternate level of care, with notification being provided to the referring Licensed Addiction Counselor, Probation Officer and the offender. Incomplete admission packets, or packets that are deemed to need additional information, will be put in a Pending Status until such time as this information is received. Approval for admission will be delayed until all required/requested information is received. MCDC will notify the referring Probation Officer and Licensed Addictions Counselor by letter of the offender's approval for admission.

5. Violations:

If a probation offender is removed or absconds from the program, the MCDC program will notify the supervising Probation Officer. If the offender absconds during work hours, the staff will notify the Supervising Probation Officer who will issue a probation warrant if deemed necessary. If the offender absconds during off hours, the MCDC staff will notify the Butte Law Enforcement and request that they contact the MCDC Liaison. The MCDC Liaison may issue a

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probation warrant if deemed appropriate. MCDC staff will contact the supervising Probation Officer the next scheduled work day to report the incident.

K. TSCTC SANCTION PROGRAM

- 1. Eligible Offenders:** All male TSCTC graduates
- 2. Total Available Beds:** Varies depending upon need
- 3. Length of Program:** 30-60 days

4. Placement Process: Intervention, On-Site, or Disciplinary Hearing

Prior to a hearing, P&P Officers should informally have the offender screened and inform the Hearings Officer of the outcome of the informal screening at the time of the hearing. The Hearings Officer will need to check on space availability in this program prior to ordering this as a sanction. If the offender is referred to a TSCTC bed, the P&P Officer will then have the offender screened formally. All offenders ordered this sanction will be initially placed in the program for 30 days. If TSCTC staff recommends an extended sanction, the offender may volunteer for up to an additional 30 days.

The Hearings Officer will need to forward a copy of the hearings paperwork to TSCTC and MSP IPPO relative to the sanction. Refer to P&P 140-1 Adult Offender Discipline and Disciplinary Hearing, P&P 140-2 Preliminary (On-Site) Hearing, and P&P 140-5 Intervention Hearing.

P&P Officers that refer parolees to a TSCTC Sanction bed through an Intervention Hearing do not have to receive endorsement from the Board of Pardons and Parole prior to a referral. The parole will not need to be revoked to utilize this sanction. However, if P&P Officers refer parolees to a TSCTC Sanction bed through an On-site Hearing, the officer must receive endorsement from the Board of Pardons and Parole prior to a referral and placement.

P&P Officers must consider the offender's ability to return to his community, residence, and employment prior to a referral and determine whether or not the offender has the appropriate means to return to supervision after a TSCTC Sanction.

Offenders may be continued on supervision or placed in jail on a sanction pending TSCTC Sanction bed availability.

The following paperwork will need to be completed on an offender for placement into the TSCTC Sanction Program:

- P&P 140-3 (H) TSCTC Voluntary Relapse Consent Form
- P&P 140-3 (I) TSCTC Sanction Program Medical Waiver
- P&P 150-1 (V) TSCTC Release Form

P&P 140-3 (J) TSCTC Property Allowed list should be given to the offender.

5. Violations:

If an offender quits, is removed, or does not complete the sanction, TSCTC will notify the supervising Probation Officer. The Supervising Probation Officer will issue a warrant and the offender will be placed in the county jail. Violations will be addressed by an Intervention Hearing or if warranted, by formal violation. Writing of formal violations in a *Report of Violation* for the Court, the BOPP or writing of *P&P 140-1 (C) Statement of Charges/Notice of Disciplinary Hearing* for Conditional Release or DOC offenders will be staffed with the

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Officer's immediate supervisor. In the event that a *Report of Violation* is filed, the Officer will be responsible for writing the report and will maintain the case on an inactive status for as long as the offender remains in custody. If the offender is released by the judge pending disposition, the case will be returned to the prior traditional Officer.

K. Elkhorn (Females)/Nexus (Males) Meth Treatment Program

1. Eligible Offenders: Parole & Conditional Release Offenders meeting the following criteria:

A. Chronic Methamphetamine Abuse - Abuse is defined as a maladaptive pattern of substance use leading to clinically significant impairment or distress, as manifested by one (or more) of the following, occurring within a 12-month period:

1. Recurrent substance use resulting in a failure to fulfill major role obligations at work, school, or home (e.g., repeated absences or poor work performance related to substance use, substance-related absences, suspensions, or expulsions from school; neglect of children or household).
2. Recurrent substance use in situations in which it is physically hazardous (e.g., driving an automobile or operating a machine when impaired by substance use).
3. Recurrent substance-related legal problems (e.g., arrests for substance related disorderly conduct).
4. Continued substance use despite having persistent or recurrent social or interpersonal problems caused or exacerbated by the effects of the substance (e.g., arguments with spouse about the consequences of intoxication, physical fights).
 - a) The symptoms have never met the criteria for Substance Dependence for this class of substance.

Referral Criteria: Offenders sentenced to DOC for any offense, but have continued to use methamphetamine while on supervision and have had one or more failed opportunities for treatment in the community. Recommendations from LAC, LCPC or other community based addiction specialists, based on a CD evaluation completed in the previous 6 months may be used for referral to treatment programs.

B. Stimulant Use Disorder – abuse of other amphetamines or cocaine. Dependence defined as a maladaptive pattern of substance use, leading to clinically significant impairment or distress, as manifested by three or more of the following, occurring at any time in the same 12-month period:

1. Tolerance, as defined by either of the following:
 - a) A need for markedly increased amounts of the substance to achieve intoxication or the desired effect.
 - b) Markedly diminished effect with continued use of the same amount of the substance.
2. Withdrawal, as manifested by either of the following:
 - a) The characteristic withdrawal syndrome for the substance.
 - b) The same (or closely related substance) is taken to relieve or avoid withdrawal symptoms.
3. The substance is often taken in larger amounts or over a longer period than was intended.
4. There is a persistent desire or unsuccessful efforts to cut down or control

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substance use.

5. A great deal of time is spent in activities necessary to obtain the substance (e.g. visiting multiple doctors or driving long distances), use the substance (e.g.. chain-smoking), or recover from its effects.
6. Important social, occupational, or recreational activities are given up or reduced because of substance use.
7. The substance use is continued despite knowledge of having a persistent or recurrent physical or psychological problem that is likely to have been caused or exacerbated by the substance (e.g. current cocaine use despite recognition of cocaine-induced depression, or continued drinking despite recognition that an ulcer was made worse by alcohol consumption).

Referral criteria: Offenders sentenced to DOC who continue to abuse prescription amphetamines and/or purchase prescription amphetamines from others, use cocaine or excessive use of non-prescription stimulants. Offenders with a prior diagnosis of methamphetamine dependence or abuse who continue to use other stimulants. Offenders, who have had one or more interventions on supervision, continue to use and have not/will not participate in treatment in the community. Recommendations from LAC, LCPC or other community based addiction specialists, based on a CD evaluation completed in the previous 6 months may be used for referral to treatment programs.

C. **Co-occurring Disorders**

Referral Criteria: Offenders sentenced to DOC who have a history of Polysubstance Dependence or Abuse and a co-occurring mental health diagnosis. Offenders who violate conditions of supervision by using any substance to self-medicate symptoms of mental illness or those who discontinue prescribed medications for symptoms of mental illness and then continually relapse on alcohol, illegal drugs, or other prescription drugs obtained illegally. Offenders, who have had failed opportunities to complete treatment in the community. Recommendations from LAC, LCPC or other community based addiction specialists, based on a CD evaluation completed in the previous 6 months may be used for referral to treatment programs.

2. **Total Available Beds:** Elkhorn 40 beds; Nexus 80 beds
3. **Length of Program:** 15 months (9 for placement in treatment program followed by 6 months at a prerelease center)
4. **Placement Process:** On-Site or Disciplinary Hearing
 Prior to a hearing, P&P Officers should informally have the offender screened and inform the Hearings Officer of the outcome of the informal screening at the time of the hearing. The Hearings Officer will need to check on space availability in this program prior to ordering this as a sanction. If the offender is referred to an Elkhorn/Nexus, the P&P Officer will then have the offender screened formally. All offenders ordered this sanction will be placed in the program for the 9 months of treatment followed by 6 months in prerelease.
 The Hearings Officer will need to forward a copy of the hearings paperwork to Elkhorn/Nexus Program Administrator & Elkhorn/Nexus IPPO relative to the sanction. Refer to P&P 140-1 Adult Offender Discipline and Disciplinary Hearing and P&P 140-2 Preliminary (On-Site) Hearing.

P&P Officers that refer parolees to an Elkhorn/Nexus through an On-Site Hearing must receive endorsement from the Board of Pardons and Parole prior to a referral. The parole will need to be

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revoked to utilize this sanction. Offenders will waive their appearance before the BOPP by completing the *BOPP Waiver of Appearance at Revocation Hearing*. If the offender chooses not to waive their appearance, they will be returned to prison for a formal hearing before the board.

Offenders may be continued on supervision or placed in jail on a sanction pending Elkhorn/Nexus Placement bed availability.

5. Violations:

If an offender quits, is removed, or does not complete the program, Elkhorn/Nexus will notify the Facility IPPO. The IPPO will issue a warrant and the offender will be placed in the county jail. Violations will be addressed by a formal violation. Writing of formal violations in a *Report of Violation* for BOPP or writing of *P&P 140-1 (C) Statement of Charges/Notice of Disciplinary Hearing* for Conditional Release or DOC offenders will be staffed with the IPPO's immediate supervisor. In the event that a *Report of Violation* is filed, the IPPO will be responsible for writing the report and will maintain the case on an inactive status for as long as the offender remains in custody.

The hearings summary should indicate what action is to happen should the offender fail to successfully complete the program. If the offender is a conditional release offender, the offender may be moved to the START program or MSP/MWP. If the offender is a parole offender, he will be moved to the START program. If the parole board indicates that the offender needs to be returned to MSP/MWP no over-ride is required.

PROCEDURE:

A. Placement

1. Staff offender's case with POII or RA.
2. Schedule intervention, disciplinary or on-site hearing.
3. Sanction offender to a Sanction Program.
4. Refer offender to appropriate program.

RESPONSIBILITY:

P&P Officer
P&P Officer/Hearings Officer
P&P Officer/Hearings Officer
P&P Officer

V. CLOSING: Questions concerning this procedure should be directed to the Regional Administrator or Bureau Chief.

Forms

P&P 140-3 (A)	Sanction Program Contract
P&P 140-3 (B)	Notice of Sanction Program Completion/Failure
P&P 140-3 (C)	ESP Referral Form
P&P 140-3 (D)	ESP Offender Contract (<i>To be completed by the Prerelease</i>)
P&P 140-3 (E)	ESP Notice of Completion/Failure (<i>To be completed by the Prerelease</i>)
P&P 140-3 (F)	ESP Length of Stay Extension
P&P 140-3 (G)	MCDC Probation Intervention Project Referral Form
P&P 140-3 (H)	TSCTC Voluntary Relapse Consent Form
P&P 140-3 (I)	TSCTC Sanction Program Medical Waiver
P&P 140-3 (J)	TSCTC Property Allowed
P&P 150-1 (V)	TSCTC Release Form
P&P 150-1, 2 & 3 (F)	ISP Residence/Visitor List
P&P 150-1, 2 & 3 (H)	ISP Daily Employment Search Log

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P&P 150-1, 2 & 3 (I)	ISP Restitution/Supervision Fee Log
P&P 150-1, 2 & 3 (K)	ISP AA/NA/GA/SA Attendance Log
P&P 150-1, 2 & 3 (L1)	Missoula ISP Weekly Schedule
P&P 150-1, 2 & 3 (L2)	Butte ISP Weekly Schedule
P&P 150-1, 2 & 3 (L3)	Great Falls ISP Weekly Schedule
P&P 150-1, 2 & 3 (L4)	Billings ISP Weekly Schedule
P&P 150-1, 2 & 3 (L6)	Bozeman ISP Weekly Schedule
P&P 150-1, 2 & 3 (M)	ISP Adult Chronological History
P&P 150-1, 2 & 3 (N)	ISP Officer's Handbook
P&P 150-1 (R)	ISP Monthly Report
P&P 150-7 (A)	Employer Notification Letter
Private Vendor	Electronic Monitoring - (BI) Client/Case Enrollment (Not P&P computerized)